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TO

Amend the Law and the Procedure of Civil Courts in Ireland, in relation to conditions arising out of the recent disturbances in that country. A.D. 1916.

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

- 5 1.—(1) The period commencing on the beginning of the twenty-fourth day of April nineteen hundred and sixteen and ending at the end of the eighth day of May nineteen hundred and sixteen shall not be reckoned, and shall be deemed never to have been reckoned, in computing the times limited for the doing
10 of any act or the taking of any proceeding in any court in Ireland, and where any such act or proceeding is directed or allowed to be done on a certain day, if that day was a day within the period aforesaid, the act or proceeding shall be considered as done or taken in due time if it was done or taken before the
15 end of the ninth day of May nineteen hundred and sixteen.

Amendment
of law and
procedure.

- (2) Where the court is satisfied on an application made within the prescribed time and in the prescribed manner that by reason of the recent disturbances in Ireland any person has been or is unable to do an act or take a proceeding within the time
20 limited in that behalf by any statute, order, rule, regulation, deed, or agreement, the court may grant such extension of time and such further or other relief, upon such terms and in such manner as appears to the court to be equitable.

- (3) Where any original document required to be filed,
25 enrolled or lodged in any public office has been lost or destroyed
[Bill 74]

A.D. 1916. in the course of the recent disturbances in Ireland, the High Court or a judge of that court may on the application of any person interested by order authorise the filing, enrolment or lodgment of a properly authenticated copy of the document in lieu of the original within such time as may be fixed by 5 the order, and that copy shall thereupon be deemed to be the original for all purposes and to be duly filed, enrolled or lodged if filed, enrolled or lodged within the time so fixed.

(4) Subject to rules made under this Act the powers and jurisdiction of the High Court with respect to the perpetuation of 10 testimony shall extend to and may be exercised for the perpetuation of the testimony afforded by any muniment of title or other document which has been lost, destroyed or damaged in the course of the recent disturbances in Ireland whether the right or claim of the person instituting proceedings is a present 15 right or claim or depends upon the happening of some future event.

4 & 5 Geo. 5.
c. 78. (5) Subsections (2) and (3) of section one of the Courts (Emergency Powers) Act, 1914, shall be amended by the insertion of the words "or to the recent disturbances in Ireland" after 20 the words "present war" wherever the latter words occur in those subsections.

(6) No claim for compensation under any of the enactments relative to compensation for criminal or malicious injuries shall lie against a local authority in respect of any injury to person 25 or property sustained in the course of the recent disturbances in Ireland.

(7) In any action or proceeding for the recovery of a deed or other document, or for damages for its loss or non-production, it shall be a sufficient defence if it is proved that the deed or 30 other document, being at the time of the commencement of the recent disturbances in Ireland in the possession or under the control of a person entitled to have the possession or control thereof, was lost or destroyed in the course and as a result of those disturbances. 35

(8) The Lord Chancellor may make such rules and give such directions as he thinks fit for the purpose of giving full effect to the provisions of this Act.

(9) This Act shall not apply to criminal matters or proceedings. 40

(10) In this Act, unless the context otherwise requires,— A.D. 1916.

the expression "the court," as respects matters and proceedings pending in the county court and as respects matters and proceedings within the jurisdiction of the county court and not pending in any other court, means the county court; as respects matters and proceedings pending in a court of quarter sessions, means the court of quarter sessions; and as respects all other matters and proceedings, means the High Court or a judge of that court; and

the expression "prescribed" means prescribed by rules under this section.

2. This Act may be cited as, the Law and Procedure (Emergency Provisions) (Ireland) Act, 1916, and shall apply to

Ireland only.

Citation and extent.

Law and Procedure (Emergency Provisions) (Ireland).

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To amend the Law and the Procedure of Civil Courts in Ireland, in relation to conditions arising out of the recent disturbances in that country.

Presented by Mr. Attorney General for Ireland,

supported by

Mr. Secretary Somerset.

*Ordered, by The House of Commons, to be Printed,
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[Bell 74]